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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,109	06/21/2001	Anita Diu-Hercend	146 1353	3121

20311 7590 12/18/2002

BIERMAN MUSERLIAN AND LUCAS
600 THIRD AVENUE
NEW YORK, NY 10016

EXAMINER

LEFFERS JR, GERALD G

ART UNIT	PAPER NUMBER
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1636

DATE MAILED: 12/18/2002

14

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

Gerald G. Leffers Jr.

ART UNIT	PAPER
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1636

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DATE MAILED:

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Commissioner of Patents

The communication filed **21 May 2002** is not fully responsive to the Office communication mailed **16 April 2002** for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CFR Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 – 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to a bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 – 1.825), applicant is given a **TIME PERIOD of ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 – 1.825) in order to avoid abandonment of the application under 37 CFR 1.821 (g). **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication should be directed to Examiner **Gerald G. Leffers Jr.**, Art Unit **1636**, whose telephone number is **(703) 308-6232**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Remy Yucel** can be reached at **(703) 305-1998**. The fax number for the organization where this application or proceeding is assigned is **(703) 308-4242**.

Any inquiry of a general nature or relating to the status of this application, or relating to attachments to this office action, should be directed to the Patent Analyst Zeta Adams, whose telephone number is **(703) 305-3291**.

Gerald G. Leffers Jr., PhD.
Examiner, Art Unit 1636

Notice to Comply

Application No.

09/674,109

Examiner

Gerald G. Leffers Jr.

Applicant(s)

DIU-HERCEND ET AL.

Art Unit

1636

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Sequences are present throughout the specification that do not have sequence identifiers. IF THE SEQUENCES ARE PRESENT IN THE SEQUENCE LISTING, THERE IS NO NEED TO SUPPLY NEW COPIES OF THE CRF OR PAPER SEQUENCE LISTING-SIMPLY AMEND THE SPECIFICATION TO INCLUDE THE APPROPRIATE SEQ ID NOS. IF THE SEQUENCES ARE NOT PRESENT IN THE CURRENT SEQUENCE LISTING, NEW COPY, CRF AND ATTORNEY'S STATEMENT REQUIRED. (e.g. TABLE I, pages 12-13, 24, etc.).

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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